

**Filed 4/11/13 by Clerk of Supreme Court  
IN THE SUPREME COURT  
STATE OF NORTH DAKOTA**

---

2013 ND 63

---

In the Matter of the Emelia Hirsch, June 9, 1994, Irrevocable Trust

Timothy Betz,

Respondent and Appellant

v.

Emelia A. Hirsch, aka Emelia Hirsch,  
aka Emilia Hirsch, Carolyn Twite, and Duane Hirsch,

Petitioner and Appellees

---

No. 20120371

---

Appeal from the District Court of Burleigh County, South Central Judicial District, the Honorable Gail H. Hagerty, Judge.

AFFIRMED.

Per Curiam.

Timothy Betz, self-represented, 5118 Hayden Lane, Fayetteville, N.C. 28304, respondent and appellant.

Sheldon A. Smith, P.O. Box 460, Bismarck, N.D. 58502-0460, for petitioner and appellees.

**Matter of Emelia Hirsch Trust**  
**No. 20120371**

**Per Curiam.**

[¶1] Timothy Betz appealed from a district court order denying a motion to vacate an earlier order which had reformed a trust. See In re Emelia Hirsch, June 9, 1994, Irrevocable Trust, 2009 ND 135, 770 N.W.2d 225. We affirm under N.D.R.App.P. 35.1(a)(1) and (4). We further order Timothy Betz to pay attorney fees in the amount of \$1,000 plus double costs under N.D.R.App.P. 38.

[¶2] Gerald W. VandeWalle, C.J.  
Mary Muehlen Maring  
Daniel J. Crothers  
Carol Ronning Kapsner  
John C. McClintock, D.J.

[¶3] The Honorable John C. McClintock, D.J., sitting in place of Sandstrom, J., disqualified.